

United States Senate

WASHINGTON, DC 20510

December 21, 2018

The Honorable Mike Pompeo
Secretary of State
U.S. Department of State
2201 C. Street, N.W.
Washington, D.C. 20520

Dear Mr. Secretary:

We write to express our concern about the use of United States taxpayer funds by the Inter-American Commission on Human Rights (IACHR) and Inter-American Commission on Women (CIM) to lobby for abortion in Latin America in direct contravention of U.S. law.

As you know, since 1981, the Siljander amendment to the FY1982 Foreign Assistance and Related Programs Appropriations Act has specified that no U.S. funds appropriated under the Foreign Operations Appropriations Act may be used to lobby for or against abortion¹. Unfortunately, this important federal law is currently not being properly enforced by the U.S. Department of State, which continues to fund organs of the Organization of American States (OAS), such as IACHR and CIM, while they aggressively lobby pro-life sovereign nations to legalize abortion.

Time and again, IACHR and CIM have taken it upon themselves to be at the vanguard of those lobbying for the legalization of abortion in a region where a great majority of the member states have chosen to protect the right to life in their constitutions and laws. These ideologically-motivated actions are especially egregious when one considers the American Convention on Human Rights, the region's primary human rights treaty, recognizes that “[e]very person has the right to have his life respected... from the moment of conception.”²

A brief survey of public statements issued by IACHR this past year illustrates its brazen pro-abortion advocacy. Specifically, IACHR has made direct public statements of support for the legalization of abortion in countries such as Chile, El Salvador, and Argentina to influence the ongoing legislative debates in those sovereign nations. In Chile, IACHR wrote, the “IACHR Welcomes Approval of Law Decriminalizing Abortion”³; similarly, IACHR urged El Salvador “to End the Total Criminalization of Abortion”⁴. In Argentina, IACHR Commissioner made an official visit to coincide with the intense national legislative debate and declared “women have the right to autonomy to decide how they use their bodies, and the state has to ensure those rights.”⁵ This open lobbying for abortion is part of what IACHR euphemistically calls “Comprehensive, Immediate Measures to Respect and Protect Women’s Sexual and Reproductive Rights.”⁶

IACHR is not alone at the OAS in its aggressive lobbying in favor of abortion. CIM, a specialized organ of the OAS, routinely misrepresents the Inter-American Convention on the Prevention, Punishment, and

¹ While President Donald Trump’s expanded Mexico City Policy only applies to international health programs, the Siljander Amendment on the other hand, applies to all programs and activities funded by the Foreign Appropriations Act.

² “For the purposes of this Convention, “person” means every human being.” Article I, Section 2; and “Every person has the right to have his life respected. This right shall be protected by law and, in general, from the moment of conception. No one shall be arbitrarily deprived of his life.” Article 2, Section 1

³ http://www.oas.org/en/iachr/media_center/PReleases/2017/133.asp

⁴ http://www.oas.org/en/iachr/media_center/PReleases/2018/042.asp

⁵ <https://www.cels.org.ar/web/en/2018/05/audiencia-sobre-aborto-en-la-cidh-legalizarlo-es-un-imperativo-de-derechos-humanos/>

⁶ http://www.oas.org/en/iachr/media_center/preleases/2017/165.asp

Eradication against Women, by pretending it created a “right” to abortion and other so-called “sexual and reproductive rights.” The text of the convention mentions neither term. Nevertheless, CIM aggressively lobbies in favor of the legalization of abortion under the guise of its mandate to implement the convention, repeatedly pressuring member states to “legalize the interruption of pregnancy.”⁷

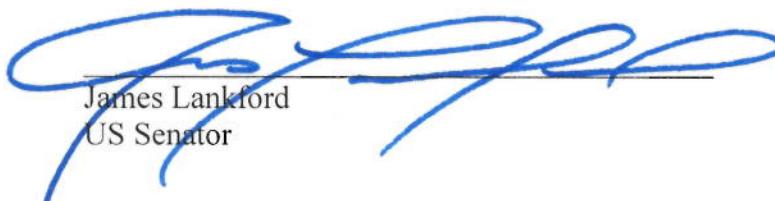
Mr. Secretary, these are just a few of countless brazen attempts to misuse the OAS, which receives a majority of its regular funds from the United States taxpayers, to lobby and coerce pro-life nations into legalizing abortion. Not only is this illegal under United States law, but we believe it is also harmful to the interests of the United States.

Critical to the organizing principles of the OAS, and to the rule of law, is the duty on the part of OAS to respect the sovereignty of member states by limiting its powers strictly to those conferred upon it by the Charter and subsequent properly ratified treaties.⁸ Unfortunately, in matters relating to the right to life and specifically to abortion, the IAHCR and CIM have completely ignored the OAS mandate to protect the right to life in favor of an ideological commitment to abortion.

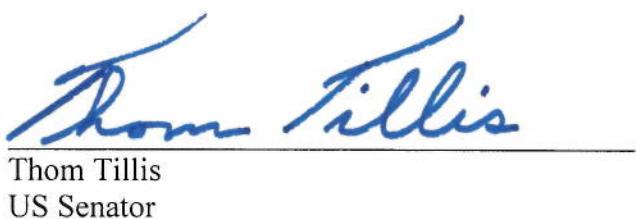
Mr. Secretary, sovereignty is the inherent right of nations to live according to their own values. No right is more central to the self-determination of a nation than the right to life, and the Siljander Amendment exists in recognition of this principle. Therefore, we respectfully request the funding of those organs of the OAS, which are aggressively lobbying in favor of abortion, be stopped immediately through a proportional reduction in the United States contribution to the OAS general fund. These reductions should remain in place until they cease their pro-abortion advocacy in compliance with the Siljander Amendment. We also request a complete halt to all U.S. voluntary fund contributions specifically designated to those organs.

Lastly, we ask that you order new detailed guidelines on compliance with the Siljander Amendment at the Department of State, indicating what kinds of activities may be prohibited, and disseminate this guidance through the agency⁹.

We appreciate your urgent attention to this request.



James Lankford
US Senator



Thom Tillis
US Senator

⁷ <https://www.oas.org/en/mesecvi/docs/mesecvi-segundoinformehemisferico-en.pdf> at pg. 98

⁸ “The Organization of American States has no powers other than those expressly conferred upon it by this Charter, none of whose provisions authorizes it to intervene in matters that are within the internal jurisdiction of the Member States.” Chapter I, Article I of the Charter to the OAS

⁹ During the Obama Administration, it was discovered that the United States was funding efforts to introduce the “right” to abortion in the Kenyan Constitution. As a result, Representative Chris Smith asked for an audit of all U.S. funding to ensure compliance with the Siljander Amendment. In 2011 the Government Accountability Office issued a report that found that the Siljander Amendment was largely being ignored and issued a report titled “*Clearer Guidance Needed on Compliance Oversees with Legislation Prohibiting Abortion-Related Lobbying*.” Unfortunately, under the Obama Administration, this call was left unheeded, and the United States has continued to fund abortion lobbying in clear violation of the Siljander Amendment.

Michael B. Enzi

Michael B. Enzi
US Senator

Michael S. Lee

Michael S. Lee
US Senator

James M. Inhofe

James M. Inhofe
US Senator

John Kennedy

John Kennedy
US Senator

Roy Blunt

Roy Blunt
US Senator

Ted Cruz

Ted Cruz
US Senator

Joni K. Ernst

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US Senator